

that cut of poultry described in § 381.170(b)(5) of this part.

(b) The product may or may not be smoked, and shall be cured using one or more of the approved curing agents as provided in a regulation permitting that use in this subchapter or 9 CFR Chapter III, Subchapter E, or in 21 CFR Chapter I, Subchapter A or Subchapter B. The product may also contain cure accelerators, phosphates, and flavoring agents as provided in a regulation permitting that use in this subchapter or 9 CFR Chapter III, Subchapter E, or in 21 CFR Chapter I, Subchapter A or Subchapter B; common salt, sugars, spices, spice extractives, dehydrated garlic, and dehydrated onions; and water for purpose of dissolving and dispersing the substances specified above.

(c) The cooked finished product weight shall be no more than the original weight of the turkey thigh meat used prior to curing.

(d) The product name on the label shall show the word "Turkey" in the same size, style, color, and with the same background as the word "Ham" and shall precede and be adjacent to it.

(e) The product name shall be qualified with the statement "Cured Turkey Thigh Meat." The qualifying statement shall be contiguous to the product name, without intervening type or designs, shall be not less than one-half the size of the product name but not less than one-eighth inch in height, and shall be in the same style and color and with the same background as the product name.

(f) If the product is fabricated from pieces of turkey thigh meat that result from the cutting through the muscle (as opposed the whole thighs intact or whole thighs with some incidental separation of muscle tissue during removal of the bone), the product name shall be further qualified by a descriptive statement. The product name of product fabricated from such pieces of turkey thigh meat equivalent in size to a one-half inch cube or greater shall be further qualified to specify that the product is "Chunked and Formed." The product name of product fabricated from such pieces of turkey thigh meat smaller than the equivalent of a one-half inch cube shall be further qualified to specify that the product is "Ground

and Formed" or "Chopped and Formed" as appropriate. The qualifying statement shall immediately follow and be contiguous to the statement required in paragraph (e) of this section, and shall be not less than one-half the size of the product name but not less than one-eighth inch in height, and shall be in the same style and color and with the same background as the product name.

[44 FR 51190, Aug. 31, 1979; 64 FR 72175, Dec. 23, 1999]

§ 381.173 Mechanically Separated (Kind of Poultry).

(a) "Mechanically Separated (Kind of Poultry)" is any product resulting from the mechanical separation and removal of most of the bone from attached skeletal muscle and other tissue of poultry carcasses and parts of carcasses that has a paste-like form and consistency, that may or may not contain skin with attached fat and meeting the other provisions of this section. Examples of such product are "Mechanically Separated Chicken" and "Mechanically Separated Turkey."

(b) "Mechanically Separated (Kind of Poultry)" shall not have a bone solids content of more than 1 percent. At least 98 percent of the bone particles present in "Mechanically Separated (Kind of Poultry)" shall have a maximum size no greater than 1.5 mm (millimeter) in their greatest dimension and there shall be no bone particles larger than 2.0 mm in their greatest dimension.

(c) "Mechanically Separated (Kind of Poultry)" shall not have a calcium content exceeding 0.235 percent when made from mature chickens or from turkeys as defined in § 381.170(a)(1)(vi) and (vii) and (a)(2), respectively, or 0.175 percent when made from other poultry, based on the weight of product that has not been heat treated, as a measure of a bone solids content of not more than 1 percent.

(d) "Mechanically Separated (Kind of Poultry)" may be used in the formulation of poultry products in accordance with § 381.174 and meat food products in accordance with subchapter A of this chapter.

(e) Product resulting from the mechanical separation process that fails

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to meet the bone particle size or calcium content requirements for “Mechanically Separated (Kind of Poultry)” shall be used only in producing poultry extractives, including fats, stocks, and broths and labeled as “Mechanically Separated (Kind of Poultry) for Further Processing.”

[60 FR 55983, Nov. 3, 1995]

§ 381.174 Limitations with respect to use of Mechanically Separated (Kind of Poultry).

(a) A poultry product required to be prepared from a particular kind of poultry (e.g., chicken) shall not contain “Mechanically Separated (Kind of Poultry)” described in § 381.173, that is made from any other kind of poultry (e.g., Mechanically Separated Turkey).

(b) “Mechanically Separated (Kind of Poultry)” described in § 381.173 may be used in the formulation of any poultry or meat food product, provided such use conforms with any applicable requirements of the definitions and standards of identity or composition in this subchapter or part 319 of this chapter, and provided that it is identified as “Mechanically Separated (Kind of Poultry).”

[60 FR 55983, Nov. 3, 1995]

Subpart Q—Records, Registration, and Reports

§ 381.175 Records required to be kept.

(a) Every person within any of the classes specified in paragraph (a) (1), (2), or (3) of this section is required by the Act to keep such records as are properly necessary for the effective enforcement of the Act:

(1) Any person that engages in the business of slaughtering any poultry or processing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any poultry, for commerce, for use as human food or animal food;

(2) Any person that engages in the business of buying or selling (as a poultry products broker, wholesaler, or otherwise) or transporting, in commerce, or storing in or for commerce, or importing, any carcasses, or parts or products of carcasses, of any poultry;

(3) Any person that engages in business, in or for commerce, as a renderer, or engages in the business of buying, selling, or transporting in commerce, or importing, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter.

(b) The required records are:

(1) Records, such as bills of sale, invoices, bills of lading, and receiving and shipping papers, giving the following information with respect to each transaction in which any poultry or poultry carcass, or part or product of a poultry carcass, is purchased, sold, shipped, received, transported, or otherwise handled by said person in connection with any business subject to the Act.

(i) The name or description of the poultry or other articles;

(ii) The net weight of the poultry or other articles;

(iii) The number of outside containers;

(iv) The name and address of the buyer of the poultry or other articles sold by such person, and the name and address of the seller of the poultry or other articles purchased by such person;

(v) The name and address of the consignee or receiver (if other than the buyer);

(vi) The method of shipment;

(vii) The date of shipment; and

(viii) The name and address of the carrier.

(2) Guaranties provided by suppliers of packaging materials under § 381.144.

(3) Records of canning as required by subpart X of this part 381, of subchapter C, 9 CFR chapter III.

(4) Records of irradiation as required by sections 381.149 of this part.

(5) Records of nutrition labeling as required by subpart Y of this part.

(6) Records of all labeling, along with the product formulation and processing procedures, as prescribed in §§ 381.132 and 381.133.

(Approved by the Office of Management and Budget under control number 0583-0015)

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